

**ORDINANCE #2012-6**

**CALENDAR YEAR 2012  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the governing body of the Borough of Beach Haven in the County of Ocean finds it advisable and necessary to increase its CY 2012 budget up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the governing body hereby determines that a 3.5 % increase in the budget for said year, amounting to \$249,106.80 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the governing body of the Borough of Beach Haven hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Municipal Council of the Borough of Beach Haven, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Beach Haven shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased to 3.5 %, amounting to \$249,109.80, and that the CY 2012 municipal budget for the Borough of Beach Haven be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Borough Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, held on Monday, April 9, 2012 at 7:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Borough Council to be held on Monday, May 14, 2012 at 7:00 p.m. at the Beach Haven Municipal Building, 300 Engleside Avenue, Beach Haven, NJ 08008.

**CERTIFICATION**

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted on first reading by the Municipal Council of the Borough of Beach Haven at a regular meeting held on the 9th day of April, 2012, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 9th day of April, 2012.

\_\_\_\_\_  
Sherry Mason, RMC, Municipal Clerk

<i><b>First Reading:</b></i>	<i><b>April 9, 2012</b></i>
<i><b>Publication:</b></i>	<i><b>April 12, 2012</b></i>
<i><b>Passage:</b></i>	<i><b>May 14, 2012</b></i>
<i><b>Final Publication:</b></i>	<i><b>May 17, 2012</b></i>
<i><b>Effective:</b></i>	<i><b>June 20, 2012</b></i>